Remarks

The paragraphs of the Office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

Response to Amendment

1. The Examiner indicated that this Office action is in response to the amendment filed on 5/5/2003, that claims 1-40 have been cancelled and that claims 41-131 have been newly added. The applicant believes that no specific response to this paragraph is required.

Claim Rejections - 35 USC § 102

2. The Examiner provided the citation to 35 U.S.C. § 102 "that form the basis for the rejections under this section made in this Office action." The applicant believes that no specific response is required for this paragraph.

3. The Examiner rejected claims "41-43, 45-51, 53-57, 59-62, 65-70, 72-77, 79-80, 82-89, 91-99, 101-108, 110-115, 117-122, 124-128 and 130-131 are rejected under 35 U.S.C. § 102(e), as being anticipated by Moura et al." The applicant has requested that claim 41 (on which claims 42-54 depend), 84 (on which claims 85-94 depend), and claim 113 (on which claims 114-119 depend) be amended to more clearly point out that the server computer of applicant's invention is programmed to download data to client computers without requiring the same operating system on the client computers. The applicant has requested that claim 55 (on which claims 56-74 depend) be amended to more clearly point out that receiving downloaded data includes receiving a downloaded packet of data; establishing a timestamp for the received packet of data; testing if the received packet of data is a package delivery or an Internet delivery, and if a package delivery providing the capability of broadcasting the packet of data to a plurality of client computers. The applicant has requested that claim 75 (on which claims 76-84 depend be amended to more clearly point out that the routing of the downloaded data includes testing to determine whether said download data will update the catalog; and if the catalog will not be updated by said download data, testing to determine if the site will be updated by said download data; and if said site will not be updated, storing said downloaded data on a server computer storage device; and testing to determine if said download data is complete. The applicant has requested that claim 95 (on which claims 96-103 depend) be amended to more clearly point out that the routing of the downloaded data includes testing to determine whether said download data will update the catalog; and if the catalog will not be updated by said download data, testing to determine if the site will be updated by said download data; and if said site will not be updated, storing said downloaded data on a server computer storage

device; and testing to determine if said download data is complete. The applicant has requested that claim 104 (on which claims 105–112 depend be amended to more clearly point out that the routing of the download data further comprises: testing to determine if said download data is in transmission control protocol; if said download data is not in transmission control protocol, transferring said download data to an IP stack; if said download data is in transmission control protocol, testing to determine if a begin of section is being initiated; if a begin of section is not being initiated, testing if an end of session has been encountered; and if a begin of section is being initiated, testing to determine if a connection slot is available. The applicant has requested that claim 120 (on which claims 120–125 depend) be amended to more clearly point out that the routing of the download data further comprises: testing to determine if said download data is in transmission control protocol; if said download data is not in transmission control protocol, transferring said download data to an IP stack; if said download data is in transmission control protocol, testing to determine if a begin of section is being initiated; if a begin of section is not being initiated, testing if an end of session has been encountered; and if a begin of section is being initiated, testing to determine if a connection slot is available. The applicant has requested that claim 126 (on which claims 127–131 depend) be amended to more clearly point out that the received download data is received from a satellite receiver in communication with a geosynchronous satellite and is received in response to a request from a client computer transmitted over a telephone land line. The applicant believes that the claims as currently amended, and those claims dependent on and including the limitations of the amended claims, are neither disclosed nor suggested in the cited reference. Therefore, the applicant respectfully requests reconsideration and withdrawal of the rejection of this paragraph.

<p align="center">Claim Rejections – 35 USC § 103</p>

4.   The Examiner provided the citation to 35 U.S.C. § 103(a) "which forms the basis for all obviousness rejections set forth in this Office action." The applicant believes that no specific response is required for this paragraph.

The Examiner also reminded the applicant of the applicant's obligation to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made. The applicant believes all claims are and were commonly owned by assignment to Helius, Inc.

5.   The Examiner rejected claims "44, 52, 58, 63–64, 71, 78, 81, 90, 100, 109, 116, 123 and 129 under 35 U.S.C. § 103(a) as being unpatentable over Moura et al." As noted above, the applicant has requested that claim 41 (on which claims 44 and 52 depend), 84 (on which claim 90 depends), and claim 113 (on which claim 116 depends) be amended to more clearly point out that the server computer of applicant's invention is programmed to download data to client computers without requiring the same

operating system on the client computers. The applicant has requested that claim 55 (on which claims 58, 63–64 and 71 depend) be amended to more clearly point out that receiving downloaded data includes receiving a downloaded packet of data; establishing a timestamp for the received packet of data; testing if the received packet of data is a package delivery or an Internet delivery, and if a package delivery providing the capability of broadcasting the packet of data to a plurality of client computers. The applicant has requested that claim 75 (on which claims 78 and 81 depend be amended to more clearly point out that the routing of the downloaded data includes testing to determine whether said download data will update the catalog; and if the catalog will not be updated by said download data, testing to determine if the site will be updated by said download data; and if said site will not be updated, storing said downloaded data on a server computer storage device; and testing to determine if said download data is complete. The applicant has requested that claim 95 (on which claim 100 depends) be amended to more clearly point out that the routing of the downloaded data includes testing to determine whether said download data will update the catalog; and if the catalog will not be updated by said download data, testing to determine if the site will be updated by said download data; and if said site will not be updated, storing said downloaded data on a server computer storage device; and testing to determine if said download data is complete. The applicant has requested that claim 104 (on which claim 109 depend be amended to more clearly point out that the routing of the download data further comprises: testing to determine if said download data is in transmission control protocol; if said download data is not in transmission control protocol, transferring said download data to an IP stack; if said download data is in transmission control protocol, testing to determine if a begin of section is being initiated; if a begin of section is not being initiated, testing if an end of session has been encountered; and if a begin of section is being initiated, testing to determine if a connection slot is available. The applicant has requested that claim 120 (on which claim 123 depends) be amended to more clearly point out that the routing of the download data further comprises: testing to determine if said download data is in transmission control protocol; if said download data is not in transmission control protocol, transferring said download data to an IP stack; if said download data is in transmission control protocol, testing to determine if a begin of section is being initiated; if a begin of section is not being initiated, testing if an end of session has been encountered; and if a begin of section is being initiated, testing to determine if a connection slot is available. The applicant has requested that claim 126 (on which claim 129 depends) be amended to more clearly point out that the received download data is received from a satellite receiver in communication with a geosynchronous satellite and is received in response to a request from a client computer transmitted over a telephone land line. Since dependant claims include all of the limitations of the independent claims on which they depend, the applicant believes that the claims as currently amended, and those claims dependent on and including the limitations of the amended claims, are neither disclosed

nor suggested in the cited reference. Therefore, the applicant respectfully requests reconsideration and withdrawal of the rejection of this paragraph.
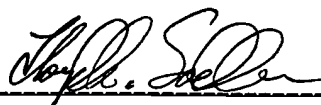
Conclusion

6. The Examiner indicated that the "Applicant's arguments with respect to claims 41-313 have been considered but are moot in view of the new ground(s) of rejection." The applicant appreciates the Examiner's consideration and believes that no specific response is required for this paragraph.

7. The Examiner also indicated that "Applicants' amendment necessitates the new ground(s) of rejection. Accordingly, this action is made final." The applicant is responding to this "final" action with a Request for Continued Examination, an Amendment/Response to the Final Office Action, and a Petition for Extension of Time, and appropriate fees, within the permitted extension period. Accordingly, the applicant respectfully requests entry of this response, continued examination and further consideration by the Examiner.

8. The Examiner provided information concerning communication on this application. The applicant appreciates the Examiner's willingness to communicate and assist on this case.

The applicant has requested that claims be amended as described. The applicant believes that the amended claims and the claims dependent upon these amended claims are allowable over all known prior art. Accordingly, the applicant believes that all issues and points of the Examiner's Office action have been addressed. and applicant respectfully requests reconsideration and allowance of this application.

Respectfully submitted this 21st day of January, 2004.

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